THE HONB'E SRI JUSTICE K.C.BHANU

WRIT PETITION No. 19407 of 2005

Date: 02.09.2005

Between:

Sri Circar Enterprises (Hotel Anupama),

Rep. by its Managing Partner P.Balaramakrishnaiah,

S/o. late Raja Ram Mohan Rao,

R/o. 29-13-2/2, Kaleswara Road,

Governorpet, Vijayawada, Krishna dist.

…Petitioner

and

The Assistant Provident Fund Commissioner,

Employees Provident Fund Organisation,

Sub Regional Office,

III Krishna Nagar, Guntur

…Respondent

ORDER:

Challenging the orders of the respondent in A.P. No.16616/ 7A/SRO/GNT/691, dated 30.06.2004, the present Writ Petition is filed.

The petitioner was issued an order of final determination under Section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, dated 30.06.2004. A sum of Rs.1,58,083/- is said to be due and an interest of Rs.18,258/- is levied. The learned counsel for the petitioner states that though there exists several grounds to assail the same, it does not choose to do so on account of the fact that the appeal is to be prosecuted at Delhi. It seeks the facility of instalments. It is also submitted by him that in the similar circumstances, this Court granted instalments as per order in W.P. No.4677 of 2005, dated 11.03.2005.

The learned counsel for the respondent opposes the same and submits that the amount is due for a long time.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of, leaving it open to the petitioner to pay the amount due in eight equal instalments on or before 5th of every month, commencing from October, 2005. In default, it shall be open to the respondent to enforce the order in accordance with the relevant provisions of law. There shall be no order as to costs.

(K.B.Bhanu, J.)

02.09.2005

DRK